

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAURICE THOMPSON ET AL., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary,
California Department of Corrections and
Rehabilitation, and EDDIE YLST, Acting
Warden, San Quentin State Prison,

Defendants.

No. C 79-01630 WHA

**ORDER DENYING CHISM
MOTION TO INTERVENE**


A Death-Row inmate, Calvin Chism, moves to intervene pursuant to Federal Rule of Civil Procedure 24(a). To intervene as a plaintiff under FRCP 24(a), an applicant must prove that the other plaintiffs might not adequately represent the applicant's interests. FRCP 24(a)(2); *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 538 (1972). Applicant provides no reason to believe that intervenor Freddie Fuiava might not adequately represent his interests. The motion to intervene therefore is **DENIED**.

As noted in previous orders, the Court cannot allow all Death Row inmates to intervene separately. All motions to intervene therefore will be considered carefully, giving motions made pro se a liberal construction, and granted only with great care. Potential intervenors should consider carefully whether intervenor or plaintiffs adequately represent their interests.

1 **THE CLERK SHALL SERVE THIS ORDER ON CALVIN CHISM AT THE ADDRESS ON HIS**
2 **MOTION.**

3
4 **IT IS SO ORDERED.**

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6 Dated: May 18, 2006



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE